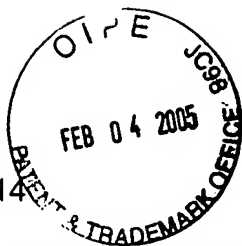


P24108.A14



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen PALM

Group Art Unit : 2811

Appl. No. : 10/657,271

Examiner : Dung X. NGUYEN

Filed : September 9, 2003

Confirmation No. : 1862

For : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT  
CHANNEL PROBE

**REQUEST FOR RETURN OF INITIALED PTO-1449 FORMS,  
REQUEST FOR CONSIDERATION OF PREVIOUSLY SUBMITTED  
INFORMATION DISCLOSURE STATEMENTS, AND REQUEST FOR  
CORRECTION OF TYPOGRAPHIC ERROR ON PTO-1449 FORM**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Issue Fee  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir :

While reviewing the Notice of Allowance mailed in the above-captioned application, Applicant noted that the Examiner has inadvertently failed to return completed copies of the PTO-1449 Forms that accompanied the Information Disclosure Statements that were filed with the U.S. Patent and Trademark Office on January 14, 2004; March 15, 2004; and November 22, 2004. The Examiner is respectfully requested to return completed copies of these PTO-1449 Forms to confirm his consideration of the submitted materials.

Further, in reviewing the Patent Office's PAIR system, Applicant notes that the Information Disclosure Statements filed on April 16, 2004; June 7, 2004; and August 18, 2004

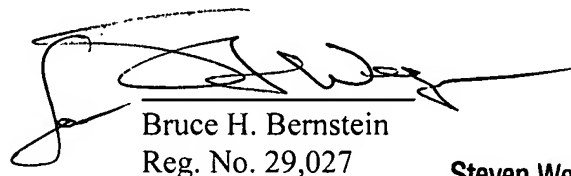
P24108.A14

are not indicated as having been entered into the file. Accordingly, Applicant herewith submits copies of these previously submitted Information Disclosure Statements, along with their associated date-stamped filing receipt. The Examiner is respectfully requested to return completed copies of the PTO-1449 Forms to confirm his consideration of these materials.

Lastly, Applicant notes that a typographic error exists on the PTO-1449 Form that accompanied the January 14, 2004 Information Disclosure Statement. Specifically, document (57) cited in the Information Disclosure Statement was correctly identified therein as WO 97/49229, but was incorrectly listed on the PTO-1449 form as WO 99/49229. Applicant requests that the Examiner correct the PTO-1449 Form to change "WO 99/49229" to —WO 97/49229—. Applicant encloses a PTO-1449 Form for this purpose.

Should there be any question, the Examiner is requested to contact the undersigned.

Respectfully submitted,  
Stephen PALM

A handwritten signature in black ink, appearing to read "Bruce H. Bernstein", is written over a horizontal line.

Bruce H. Bernstein  
Reg. No. 29,027

Steven Wegman  
Reg. No. 31,438

February 2, 2005  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

Group  
2811

[illegible][illegible][illegible]

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

File In: \_\_\_\_\_

Stamp: OIPE FEB 04 2005 JCS98 TRADEMARK OFFICE-87

( ) Amendment \_\_\_\_\_  
( ) Executed Assignment and cover letter  
( ) by facsimile  
( ) Executed S.E.S. ( ) S.E.S. Assertion  
( ) Req. for Ext. of Time  
( ) Fee Filing ( )  
Recording ( )  
Issue ( )  
Extension ( )  
\_\_\_\_\_  
( ) Fee Transmittal  
( ) Maintenance Fee Payment  
( ) PTOL-85B Issue Fee  
( ) Letter to Draftsman  
( ) Design Patent Application Transmittal  
( ) Utility Patent Application Transmittal  
( ) Provisional Application Cover Sheet  
( ) Continued Prosecution Application  
(CPA) Request Transmittal  
( ) Request for Continued Examination (RCE)  
including Submission  
( ) Cover Letter  
( ) Check No. for \$  
( ) Rule 53b and 53f Letter for  
Unexecuted Application  
W/ copy of transmittal of Unexecuted Application (2)

( ) Claim of Priority & Certified  
Copy of \_\_\_\_\_  
\_\_\_\_\_  
( ) Declaration ( ) Supplemental  
( ) New ( ) Unexecuted  
( ) Executed by facsimile  
( ) Transmittal Letter  
( ) Patent Application  
( ) Provisional ( ) Reexam  
( ) Reissue ( ) Design  
( ) Continuation ( ) CIP  
\_\_\_\_\_ pages (w/abstract)  
\_\_\_\_\_ claims \_\_\_\_\_ independent  
\_\_\_\_\_ sheets of drawings  
\_\_\_\_\_ figures  
(Y) I.D.S. form PTO-1449 &  
References ( ) as attached  
(Y) as listed on  
reverse  
( ) One self-addressed postcard  
( ) Certification under 1.97(e)  
( ) Certificate of Mailing (C-O-M)  
( ) Returned Envelope  
W/ copy of the transmittal of Application No. 09/217,333  
W/ copy of transmittal of the Action 10/17594

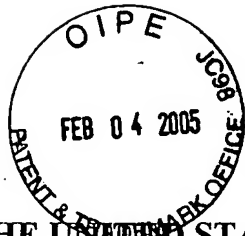
09/1217,556  
10/175,961  
10/176,338  
10/287,005  
09/281,813  
09/473,683  
09/564,704  
10/331,665  
10/663,712  
09/572,968  
10/657,272  
10/621,351  
10/671,536  
10/740,767



FOREIGN PATENT DOCUMENTS													
		DOCUMENT NUMBER						DATE	COUNTRY				
	9	8	/	1	0	5	4	5	03/12/98	W.I.P.O.			
		0	9	7	4	2	0	2	01/26/00	E.P.O.			
		0	8	2	0	1	6	8	01/21/98	E.P.O.			
		2	0	2	7	2	3	0	04/18/95	CANADA			
		2	1	1	1	5	4	3	06/18/94	CANADA			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)													
		1	ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipments (DCEs) and Between Data Terminal Equipments (DTEs) Over the General Switched Telephone Network and On Leased Point-to-Point Telephone-Type Circuits"), published by the International Telecommunication Union in August, 1996.										
		2	An article by F. MESCAM, entitled "Introduction A La Procedure De Transmission HDLC", published at pages 69-73 of L'Onde Electrique, vol. 53, no. 2 (February, 1973).										
		3	An article by H. OHBA et al., entitled "End-to-End Protocol Based On CCITT X.25 and Its Implementation", published at pages 281-287 of Evolutions In Computer Communications, Kyoto September 26-29, 1978, International Conference On Computer Communication, Tokyo, Japan, vol. CONF. 4, September 1978.										
		4	An article by K. KRECHMER at pages 63, 64 and 66 of Data Communications, McGraw Hill, NY, vol. 23, no. 2 (January 21, 1994), entitled "V.34 Modems: Off to a Fast Start?".										
		5	An article published in the periodical, "Nikkei Communications", Vol. 252, August 18, 1997, pages 80-89.										
		8	ITU-T recommendation G.994.1 ("Handshake Procedures For Digital Subscriber Line (DSL) Transceivers"), published by the International Telecommunication Union in February, 2001.										

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P24108.A01



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Stephen PALM

Group Art Unit: 2811

Appl. No. : 10/657,271

Examiner:

Filed : September 9, 2003

Confirmation No: 1862

For : ACTIVATION OF MULTIPLE xDSL MODEMS WITH  
IMPLICIT CHANNEL PROBE

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, §§1.97-1.98,  
Applicant hereby calls the following documents to the attention of the Examiner:

A copy of a European Search Report mailed in related European Patent Application  
No. 03007777.0-2415 on October 11, 2003 is enclosed, in which the following documents  
are cited:

(1) ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection  
of Common Modes of Operation Between Data Circuit-Terminating Equipments (DCEs) and  
Between Data Terminal Equipments (DTEs) Over the General Switched Telephone Network  
and On Leased Point-to-Point Telephone-Type Circuits"), published by the International  
Telecommunication Union in August, 1996;

(2) International Publication Number WO 98/10545, entitled "Improvements In, or

relating to, Multi-Carrier Transmission Systems”, published on March 12, 1998;

(3) An article by F. MESCAM, entitled “Introduction A La Procedure De Transmission HDLC”, published at pages 69-73 of L’Onde Electrique, vol. 53, no. 2 (February, 1973); and

(4) An article by H. OHBA et al., entitled “End-to-End Protocol Based On CCITT X.25 and Its Implementation”, published at pages 281-287 of Evolutions In Computer Communications, Kyoto September 26-29, 1978, International Conference On Computer Communication, Tokyo, Japan, vol. CONF. 4, September 1978.

A copy of a European Search Report mailed in related European Patent Application No. 03007773.9-2415 on October 11, 2003 is enclosed, in which the following documents are cited:

(5) ITU-T Recommendation V.8 bis (“Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipments (DCEs) and Between Data Terminal Equipments (DTEs) Over the General Switched Telephone Network and On Leased Point-to-Point Telephone-Type Circuits”), published by the International Telecommunication Union on August, 1996;

(6) U.S. Patent 5,493,609 to DAVIS et al., which issued on February 20, 1996; and

(7) An article by K. KRECHMER at pages 63, 64 and 66 of Data Communications, McGraw Hill, NY, vol. 23, no. 2 (January 21, 1994), entitled “V.34 Modems: Off to a Fast Start?”.

A copy of a European Search Report mailed in related European Patent Application No. 03007771.3-2415 on October 29, 2003 is enclosed, in which the following documents are cited:

(8) European Patent Application No. EP 0 974 202 and International Publication No. WO 99/35756, published on July 15, 1999;

(9) European Patent Application No. EP 0 820 168, published on January 21, 1998. Applicant notes that U.S. Patent 6,002,722 to WU, which issued on December 14, 1999 is a family member patent;

(10) U.S. Patent 5,479,447 to CHOW et al., which issued on December 26, 1995; and

(11) U.S. Patent 4,679,227 to HUGHES-HARTOGS, which issued on July 7, 1987.

A copy of a European Search Report mailed in related European Patent Application No. 03007772.1-2415 on October 11, 2003 is enclosed, in which the following documents are cited:

(12) ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipments (DCEs) and Between Data Terminal Equipments (DTEs) Over the General Switched Telephone Network and On Leased Point-to-Point Telephone-Type Circuits"), published by the International Telecommunication Union on August, 1996;

(13) U.S. Patent 5,493,609 to DAVIS et al., which issued on February 20, 1996; and

(14) An article by K. KRECHMER at pages 63, 64 and 66 of Data Communications,



McGraw Hill, NY, vol. 23, no. 2 (January 21, 1994), entitled "V.34 Modems: Off to a Fast Start?".

A copy of a European Search Report mailed in related European Patent Application No. 99914300.1 on July 14, 2003 and October 28, 2003 is enclosed, in which the following documents are cited:

(15) European Patent Application No. EP 0 974 202, published on January 26, 2000 and International Publication No. WO 99/35756, published on July 15, 1999;

(16) European Patent Application No. EP 0 820 168, published on January 21, 1998.

(17) U.S. Patent 5,644,573 to JACOBSEN et al., which issued on July 1, 1997.

An English language translation of a Chinese Decision of Rejection mailed on October 10, 2003 in related Chinese Application No. 00800814.0 is enclosed, in which the following documents are cited:

(18) U.S. Patent 5,463,382 to NIKAS et al., which issued on October 31, 1995; and

(19) U.S. Patent 5,377,188 to SEKI, which issued on December 27, 1994.

A copy of a Canadian Office Action mailed on October 9, 2003 in related Canadian Patent Application 2,322,581 is enclosed, in which the following documents are cited:

(20) Canadian Patent No. 2,027,230 to YANG et al., which issued on April 12, 1991;

(21) Canadian Patent No. 2,111,543 to SCOTT, which issued on June 18, 1994; and

(22) U.S. Patent 5,349,635 to SCOTT, which issued on September 20, 1994.

An English language translation of a Chinese Office Action mailed on November 13,

2003 in related Chinese Patent Application No. 99803805.9 is enclosed, in which the following document is cited:

(23) U.S. Patent 4,897,831 to NEGI et al., which issued on January 30, 1990.

A copy of a Notice of Preliminary Rejection in related Korean Patent Application No. 10-2003-7008008, mailed on July 23, 2003 is enclosed, in which the following document is cited:

(24) U.S. Patent 5,311,578 to BREMER et al., which issued on May 10, 1994.

The following documents were cited to the Examiner during the prosecution of parent Application No. 09/281,813:

(25) U.S. Patent No. 6,205,208 to DETLEFSEN et al., which issued on March 20, 2001;

(26) U.S. Patent No. 6,141,354 to NAKATSUGAWA, which issued on October 31, 2000;

(27) U.S. Patent No. 5,933,454 to CIOFFI, which issued on August 3, 1999;

(28) U.S. Patent No. 5,633,890 to AHMED, which issued on May 27, 1997;

(29) U.S. Patent No. 5,491,720 to DAVIS et al., which issued on February 13, 1996;

(30) U.S. Patent No. 5,371,534 to DAGDEVIREN et al., which issued on December 6, 1994;

(31) U.S. Patent No. 5,144,651 to COOPER, which issued on September 1, 1992;

(32) U.S. Patent No. 4,953,210 to MCGLYNN et al., which issued on August 28,

1990;

(33) U.S. Patent No. 5,826,198 to BERGINS et al., which issued on October 20, 1998;

and

(34) U.S. Patent No. 6,044,107 to GATHERER et al., which issued on May 28, 2000.

(35) An article published in the periodical, "Nikkei Communications," vol. 252, August 18, 1997, pages 80-89.

(36) ITU-T recommendation G.994.1 ("Handshake Procedures For Digital Subscriber Line (DSL) Transceivers"), published by the International Telecommunication Union in February, 2001;

(37) U.S. Patent 5,400,322 to HUNT et al., which issued on March 21, 1995;

(38) U.S. Patent 5,479,447 to CHOW et al., which issued on December 26, 1995;

(39) U.S. Patent 5,805,669 to BINGEL et al., which issued on September 8, 1998;

(40) U.S. Patent 5,903,608 to CHUN, which issued on May 11, 1999; and

(41) U.S. Patent 5,910,970 to LU, which issued on June 8, 1999.

An International Search Report mailed on April 20, 1999 in PCT Application PCT/US99/00519, was called to the Examiner's attention that cited the following:

(42) U.S. Patent No. 5,668,857 to McHALE, which issued on September 16, 1997;

(43) U.S. Patent No. 5,781,617 to McHALE et al., which issued on July 14, 1998;

(44) U.S. Patent No. 5,852,655 to McHALE et al., which issued on December 22, 1998;

(45) U.S. Patent No. 5,410,343 to CODDINGTON et al., which issued on April 25, 1995; and

(46) U.S. Patent No. 5,757,803 to RUSSELL et al., which issued on May 26, 1998.

An international Search Report mailed on September 10, 1999 in PCT Application PCT/US99/06986, was called to the Examiner's attention that cited the following:

(47) U.S. Patent No. 5,796,808 to SCOTT et al., which issued on August 18, 1998;

(48) U.S. Patent No. 5,751,914 to COLEY et al., which issued on May 12, 1998;

(49) U.S. Patent No. 5,448,566 to RICHTER et al., which issued on September 5, 1995;

(50) U.S. Patent No. 5,163,131 to ROW et al., which issued on November 10, 1992;

(51) U.S. Patent No. 5,311,578 to BREMER et al., which issued on May 10, 1994;

(52) U.S. Patent No. 4,680,773 to AMUNDSON, which issued on July 14, 1987;

(53) U.S. Patent No. 5,463,661 to MORAN III et al., which issued on October 31, 1995;

(54) U.S. Patent No. 5,715,277 to, GOODSON et al., which issued on February 3 1998;

(55) U.S. Patent No. 5,644,573 to BINGHAM et al., which issued on July 1, 1997; and

(56) U.S. Patent No. 5,608,764 to SUGITA et al., which issued on March 4, 1997.

An Australian Patent Office Written Opinion mailed on February 2, 2000 with respect to related Singapore Application No. SG 9904001-6 was called to the Examiner's attention,

in which the following documents were cited:

(57) PCT Application WO 97/49229, along with English language family member U.S. Patent 5,796,808 (mentioned above);

(58) U.S. Patent 5,751,914 (mentioned above);

(59) U.S. Patent 5,163,131 (mentioned above);

(60) U.S. Patent 5,448,566 (mentioned above);

(61) U.S. Patent 5,311,578 (mentioned above);

(62) U.S. Patent 4,680,773 (mentioned above);

(63) U.S. Patent 5,463,661 (mentioned above);

(64) U.S. Patent 5,644,573 (mentioned above); and

(65) U.S. Patent 5,715,277 (mentioned above).

An international Search Report mailed on April 27, 2000 with respect to PCT Application No. PCT/US99/30006 was called to the Examiner's attention, in which the following documents were cited:

(66) U.S. Patent No. 5,682,419 to GRUBE et al., which issued on October 28, 1997;

(67) U.S. Patent No. 5,349,635 to SCOTT, which issued on September 20, 1994; and

(68) U.S. Patent No. 4,897,831 to NEGI et al., which issued on January 30, 1990.

An international Search Report mailed on August 2, 2000 with respect to PCT Application No. PCT US00/08227 was called to the Examiner's attention, in which the following documents were cited:

(69) U.S. Patent No. 5,463,382 to NIKAS et al., which issued on October 31, 1995;

and

(70) U.S. Patent No. 5,377,188 to SEKI, which issued on December 27, 1994.

An International Search Report mailed on August 28, 2000 with respect to PCT Application No. PCT US00/40019 was called to the Examiner's attention, in which the following documents are cited:

(71) U.S. Patent No. 5,321,722 to OGAWA, which issued on June 14, 1994;

(72) U.S. Patent No. 5,912,921 to WARREN et al., which issued on June 15, 1999;

and

(73) U.S. Patent No. 6,064,693 to OLIVER et al., which issued on May 16, 2000.

The following documents, which were cited in an Australian Written Opinion mailed on July 17, 2001 with respect to Singapore Application No. SG 0003733-3, were called to the Examiner's attention:

(74) U.S. Patent No. 4,897,831 (mentioned above);

(75) U.S. Patent No. 5,349,635 (mentioned above); and

(76) U.S. Patent No. 5,682,419 (mentioned above).

The following documents, which were cited in an Australian Written Opinion mailed on October 25, 2001 with respect to Singapore Application No. SG 200006529-2, were called to the Examiner's attention:

(77) U.S. Patent No. 5,463,382 (mentioned above); and

(78) U.S. Patent No. 5,377,188 (mentioned above).

The following document, which was cited in an Australian Written Opinion mailed on November 15, 2001 with respect to Singapore Application No. SG 200006532-6, was called to the Examiner's attention:

(79) U.S. Patent No. 5,321,722 (mentioned above).

The following documents, which were cited in a Supplementary European Search Report dated March 4, 2002 with respect to related EP 99 96 7373, was called to the Examiner's attention:

(80) U.S. Patent No. 4,897,831 (mentioned above);

(81) U.S. Patent No. 5,349,635 (mentioned above); and

(82) U.S. Patent No. 5,682,419 (mentioned above).

The following documents, which were cited in a Japanese Notice of the Reason for the Rejection (together with an English language translation of the same) dated November 20, 2001 with respect to Japanese Application No. HEI 11-349362, were called to the Examiner's attention:

(83) Japanese Laid Open Patent Publication No. HEI 6-97980, which was published on April 8, 1994, together with an English language Abstract of the same;

(84) Japanese Laid Open Patent Publication No. HEI 10-75279, which was published on March 17, 1998; and

(85) U.S. Patent No. 6,055,268 to TIMM et al., which issued on April 25, 2000.

Applicant notes that this document is not cited in the Japanese Notice of the Reason for the Rejection, however, it is an English language family member of the above-noted Japanese Laid Open Patent Publication No. HEI 10-75279, which was cited therein.

A Japanese Notice of the Reason for the Rejection (together with an English language translation of the same) dated November 20, 2001 with respect to Japanese Application No. HEI 11-349364 was called to the Examiner's attention, in which the following document was cited therein:

(86) Japanese Laid Open Patent Publication No. HEI 10-75279 (mentioned above).

Two Canadian Office Actions dated November 25, 2002 with respect to related Canadian Application Nos. 2,396,963 and 2,398,865 were made of record in the above-mentioned parent application on January 23, 2003, in which the following documents were cited therein:

(87) U.S. Patent No. 5,668,857 (mentioned above); and

(88) U.S. Patent No. 5,796,808 (mentioned above).

A Korean Notice of Preliminary Rejection (together with an English language translation of the same) dated November 28, 2002 with respect to Korean Application No. 10-1999-7008157 was cited to the Examiner, in which the following document was cited therein:

(89) U.S. Patent No. 5,668,857 to McHALE (mentioned above).

A Korean Notice of Preliminary Rejection (together with an English language



translation of the same) dated December 17, 2002 with respect to Korean Application No. 10-1999-7010630 was cited to the Examiner, in which the following documents were cited therein:

(90) U.S. Patent No. 5,311,578 (mentioned above); and

(91) U.S. Patent No. 5,463,661 (mentioned above).

An Australian Examination Report dated December 18, 2002 with respect to Singapore Application No. SG 9904001-6 was cited to the Examiner.

An Australian Examination Report mailed on January 29, 2003 with respect to Singapore Application No. SG 200006529-2 was cited to the Examiner, in which the following documents were cited therein:

(92) U.S. Patent No. 5,463,382 (mentioned above); and

(93) U.S. Patent No. 5,377,188 (mentioned above).

A Canadian Office Action dated February 11, 2003 with respect to Canadian Application No. 2,322,581 was cited to the Examiner, in which the following documents were cited therein:

(94) Canadian Patent No. 2,027,230 to YANG et al., which was published on April 18, 1995;

(95) Canadian Patent Application No. 2,111,543 to SCOTT, which was published on June 18, 1994; and

(96) U.S. Patent No. 5,349,635 (mentioned above).

A Canadian Office Action dated January 6, 2003 with respect to Canadian Application No. 2,288,283 was cited to the Examiner, in which the following documents were cited therein:

(97) U.S. Patent No. 5,463,661 (mentioned above); and

(98) U.S. Patent No. 5,715,277 (mentioned above).

(99) A Canadian Office Action mailed on April 16, 2003 with respect to related Application No. 2,283,337 was cited to the Examiner, in which U.S. Patent No. 5,668,857 to McHALE, which issued on September 16, 1997 was cited.

(100) A Chinese Office Action mailed on March 28, 2003 with respect to related Application No. 99800028.0 was cited to the Examiner, in which U.S. Patent No. 5,668,857 (mentioned above) was cited.

A Canadian Office Action mailed on June 18, 2003 with respect to related Application No. 2,417,991 was cited to the Examiner, in which the following document was cited:

(101) U.S. Patent No. 5,280,586 to KUNTZ et al., which issued on January 18, 1994.

A copy of an English language translation of an Office Action mailed on July 10, 2003 with respect to related PRC Patent Application No. 00800784.5, was cited to the Examiner, in which the following document was cited:

(102) U.S. Patent No. 5,321,722 to OGAWA, which issued on June 14, 1994.

A copy of a Korean Notice of Final Rejection mailed on September 16, 2003 with

respect to related Korean Patent Application No. 10-1999-7010630, together with an English language translation of the same was cited to the Examiner, in which the following documents were cited:

(103) U.S. Patent No. 5,311,578 to BREMER et al., which issued on May 10, 1994;  
and

(104) U.S. Patent No. 5,463,661 to MORAN et al., which issued on October 31, 1995.

In accordance with 37 C.F.R. §1.98(d), copies of the documents submitted to the Examiner in the parent application are not submitted herewith.

Further to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. 1.98(a)(2)(i), copies of the U.S. patents and U.S. published patent applications are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned. In this regard, copies of the materials cited in items (1)-(5), (7)-(9), (12), (14)-(16), (20)-(21), (35); and (36) are enclosed.

Applicant respectfully requests that the Examiner consider all of the above materials and cite the documents. The above-noted documents have been listed on a PTO-1449 Form, which is also attached hereto. The Examiner is respectfully requested to initial the appropriate spaces on the attached PTO-1449 Form and to return a copy of the Form to the Applicant with the next official communication in the present application to confirm consideration of these documents.

Applicant also brings to the Examiner's attention the following co-pending and commonly assigned patent applications:

U.S. Patent Application No. 09/217,556 to PALM, entitled "Activation of Multiple xDSL Modems with Channel Probe", filed on December 21, 1998;

U.S. Patent Application No. 10/175,961 to PALM, entitled "Activation of Multiple xDSL Modems with Implicit Channel Probe", filed on June 21, 2002;

U.S. Patent Application No. 10/176,338 to PALM, entitled "Activation of Multiple xDSL Modems with Implicit Channel Probe", filed on June 21, 2002;

U.S. Patent Application No. 10/287,005 to PALM, entitled "Activation of Multiple xDSL Modems with Implicit Channel Probe", filed on November 4, 2002;

U.S. Patent Application No. 09/281,813 to PALM, entitled "Activation of Multiple xDSL Modems with Implicit Channel Probe", filed on March 31, 1999;

U.S. Patent Application No. 09/473,683 to PALM, entitled "Activation of Multiple xDSL Modems with Half Duplex and Full Duplex Procedures", filed on December 29, 1999;

U.S. Patent Application No. 09/564,704 to PALM, entitled "Activation of Multiple xDSL Modems with Power Control Measurement", filed on May 4, 2000;

U.S. Patent Application No. 10/331,665 to PALM, entitled "Activation of Multiple xDSL Modems with Implicit Channel Probe", filed on December 31, 2002;

U.S. Patent Application No. 10/663,712 to PALM, entitled "Retransmission Procedure And Apparatus For Handshaking Protocol", filed on September 17, 2003;

U.S. Patent Application No. 09/572,968 to PALM, entitled "Retransmission Procedure and Apparatus for Handshaking Protocol", filed on May 18, 2000;

U.S. Patent Application No. 10/657,272 to PALM, entitled "Activation of Multiple xDSL Modems Channel Probe" filed on September 9, 2003;

U.S. Patent Application No. 10/621,351 to PALM, entitled "Activation of Multiple xDSL Modems with Half and a Full Duplex Procedures", filed on September September 29, 2003;

U.S. Patent Application No. 10/671,536 to PALM, entitled "Retransmission Procedure and Apparatus for Handshaking Protocol", filed on September 29, 2003; and

U.S. Patent Application No. 10/740,767 to PALM, entitled "Activation of Multiple xDSL Modems with Implicit Channel Probe", filed on September December 22, 2003.

In accordance with 37 C.F.R. 1.98(a)(2)(iii), copies of the above-mentioned applications should be attached hereto. However, the specifications of application numbers 10/176,338, 10/175,961; 10/287,005; 10/331,665; 10/657,271; 10/657,272; and 09/281,813 are substantially the same; the specifications of application numbers 10/740,767 ; 10/621,351; and 09/473,683 are substantially the same; and the specifications of application numbers 09/572,968 and 10/671,536 are substantially the same. Thus, only copies of the claims of these applications are submitted herewith. The Examiner is requested to review the file wrapper of the U.S. patent applications at the U.S. Patent and Trademark Office and the references of record, if any, cited therein.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Stephen PALM

---

Bruce H. Bernstein  
Reg. No. 29,027

January 7, 2004  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

Form PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
P24108Serial No.  
10/657,271INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT  
(Use several sheets if necessary)Applicant  
Stephen PALMFiling Date  
September 9, 2003Group  
2811

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5 4 9 3 6 0 9	02/20/96	DAVIS et al.			
	6 0 0 2 7 2 2	12/14/99	WU			
	4 6 7 9 2 2 7	07/07/87	HUGHES-HARTOGS			
	5 4 7 9 4 4 7	12/26/95	CHOW et al.			
	5 6 4 4 5 7 3	07/01/97	JACOBSEN			
	5 4 6 3 3 8 2	10/31/95	NIKAS et al.			
	5 3 7 7 1 8 8	12/27/94	SEKI			
	5 3 4 9 6 3 5	09/20/94	SCOTT			
	4 8 9 7 8 3 1	01/30/90	NEGI et al.			
	5 3 1 1 5 7 8	05/10/94	BREMER et al.			
	6 2 0 5 2 0 8	03/20/01	DETLEFSEN et al.			
	6 1 4 1 3 5 4	10/31/00	NAKATSUGAWA			
	5 9 3 3 4 5 4	08/03/99	CIOFFI			
	5 6 3 3 8 9 0	05/27/97	AHMED			
	5 4 9 1 7 2 0	02/13/96	DAVIS et al.			
	5 3 7 1 5 3 4	12/06/94	DAGDEVIREN et al.			
	5 1 4 4 6 5 1	09/01/92	COOPER			
	4 9 5 3 2 1 0	08/28/90	MCGLYNN et al.			
	5 8 2 6 1 9 8	10/20/98	BERGINS et al.			
	6 0 4 4 1 0 7	05/28/00	GATHERER et al.			
	5 4 0 0 3 2 2	03/21/95	HUNT et al.			
	5 8 0 5 6 6 9	09/08/98	BINGEL et al.			
	5 9 0 3 6 0 8	05/11/99	CHUN			
	5 9 1 0 9 7 0	06/08/99	LU			
	5 6 6 8 8 5 7	09/16/97	McHALE			
	5 7 8 1 6 1 7	07/14/98	McHALE et al.			

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

U.S. Department of Commerce  
Patent and Trademark Office

Atty. Docket No.  
P24008

Serial No.  
10/657,271

Applicant .  
Stephen PALM

Filing Date  
September 9, 2003

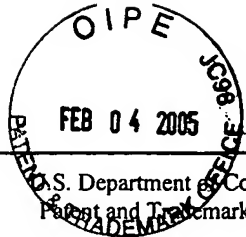
Group  
2811

[illegible]

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.





Form PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
P24108Serial No.  
10/657,271INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT

(Use several sheets if necessary)

Applicant  
Stephen PALMFiling Date  
September 9, 2003Group  
2811

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	9 8 / 1 0 5 4 5	03/12/98	W.I.P.O.			
	0 9 7 4 2 0 2	01/26/00	E.P.O.			
	0 8 2 0 1 6 8	01/21/98	E.P.O.			
	0 9 7 4 2 0 2	01/26/00	E.P.O.			
	9 9 / 3 5 7 5 6	07/15/99	W.I.P.O.			
	9 9 / 4 9 2 2 9		W.I.P.O.			
	6 - 9 7 9 8 0	04/08/94	JAPAN			
	1 0 - 7 5 2 7 9	03/17/98	JAPAN			
	2 0 2 7 2 3 0	04/18/95	CANADA			
	2 1 1 1 5 4 3	06/18/94	CANADA			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

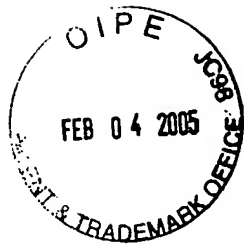
1	English Language Abstract of JP 6-97980.
2	English Language Abstract of JP 10-75279.
3	ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipments (DCEs) and Between Data Terminal Equipments (DTEs) Over the General Switched Telephone Network and On Leased Point-to-Point Telephone-Type Circuits"), published by the International Telecommunication Union in August, 1996.
4	An article by F. MESCAM, entitled "Introduction A La Procedure De Transmission HDLC", published at pages 69-73 of L'Onde Electrique, vol. 53, no. 2 (February, 1973).

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

GREENBLUM & BERNSTEIN, P.L.C.  
Intellectual Property Causes  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191



11/19/2004

COPY

File In: M/1/11/11

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

- |  |  |
|--|--|
| <p>( ) Amendment _____</p> <p>( ) Executed Assignment and cover letter<br/>    ( ) by facsimile</p> <p>( ) Executed S.E.S. ( ) S.E.S. Assertion</p> <p>( ) Req. for Ext. of Time</p> <p>( ) Fee Filing ( )<br/>    Recording ( )<br/>    Issue ( )<br/>    Extension ( )</p> <p>( ) Fee Transmittal</p> <p>( ) Maintenance Fee Payment</p> <p>( ) PTOL-85B Issue Fee</p> <p>( ) Letter to Draftsman</p> <p>( ) Design Patent Application Transmittal</p> <p>( ) Utility Patent Application Transmittal</p> <p>( ) Provisional Application Cover Sheet</p> <p>( ) Continued Prosecution Application<br/>    (CPA) Request Transmittal</p> <p>( ) Request for Continued Examination (RCE)<br/>    including Submission</p> <p>( ) Cover Letter</p> <p>( ) Check No.           for \$</p> <p>( ) Rule 53b and 53f Letter for<br/>    Unexecuted Application</p> | <p>( ) Claim of Priority &amp; Certified<br/>    Copy of _____</p> <p>( ) Declaration ( ) Supplemental<br/>    ( ) New ( ) Unexecuted<br/>    ( ) Executed by facsimile</p> <p>( ) Transmittal Letter</p> <p>( ) Patent Application<br/>    ( ) Provisional ( ) Reexam<br/>    ( ) Reissue ( ) Design<br/>    ( ) Continuation ( ) CIP<br/>        _____ pages (w/abstract)<br/>        _____ claims _____ independent<br/>        _____ sheets of drawings<br/>        _____ figures</p> <p>(Y) I.D.S. form PTO-1449 &amp;<br/>    References ( ) as attached<br/>                (<del>S</del>) as listed on<br/>                reverse</p> <p>( ) One self-addressed postcard</p> <p>( ) Certification under 1.97(e)</p> <p>( ) Certificate of Mailing (C-O-M)</p> <p>( ) Returned Envelope</p> <p>(Y) 2 Korean Office Actions w/ translations</p> <p>(Y) Patent doc. EP 0 601 260</p> |
|--|--|

In the matter of : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT CHANNEL PROBE

Applicant : Stephen PALM

Application No. : 10/657,271

Patent No. :

Filed : 9/09/2003

Issued :

Docket : P24108

Adic

P24108.A10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen PALM

Group Art Unit : 2631

Appl. No. : 10/657,271

Examiner : Dung X. Nguyen

Filed : September 9, 2003

Confirmation No. : 1862

For : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT  
CHANNEL PROBE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
220 20th Street S.  
Customer Window, Mail Stop \_\_\_\_\_  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98,

Applicant hereby calls to the Examiner's attention the following documents:

A copy of a Korean Office Action mailed in related Korean Patent Application No. 10-2004-7000599 on October 27, 2004 is enclosed, in which European Patent Publication No. EP 0 601 260, which was published on May 27, 1998 is cited. The relevancy of this document is described in the Korean Office Action.

A copy of a Korean Office Action mailed in related Korean Patent Application No. 10-2004-7000601 on October 27, 2004 is enclosed, in which European Patent Publication No. EP 0 601 260 (mentioned above) is cited.

The relevancy of this document is described in the Korean Office Action.

Applicant respectfully requests that the Examiner consider the above material and cite the document. The above-noted document is listed on a PTO-1449 Form, which is attached hereto. The Examiner is respectfully requested to initial the appropriate spaces on the attached Form and to return a copy of the completed Form to Applicant with the next official communication in the present application to confirm consideration of this document.

Applicant notes that an Office Action on the merits has not issued in the present application, and thus no fee is believed necessary to ensure consideration of the submitted material. Applicant furthermore certifies that the above-noted document was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement, and thus no fee is required to ensure consideration of the submitted material.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Stephen PALM

---

Bruce H. Bernstein  
Reg. No. 29,027

November 19, 2004  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

GREENBLUM & BERNSTEIN, P.L.C.  
Intellectual Property Causes  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191



6/04/2004

File In: MAILROOM

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

(x) **COPY OF KOREAN OFFICE ACTION OF KR APP. NO. 10-2001-7000106**

- |  |   |
|--|---|
| <input type="checkbox"/> Amendment _____   | <input type="checkbox"/> Claim of Priority & Certified Copy of _____  |
| <input type="checkbox"/> Executed Assignment and cover letter<br><input type="checkbox"/> by facsimile   | <input type="checkbox"/> Declaration <input type="checkbox"/> Supplemental<br><input type="checkbox"/> New <input type="checkbox"/> Unexecuted<br><input type="checkbox"/> Executed by facsimile  |
| <input type="checkbox"/> Executed S.E.S. <input type="checkbox"/> S.E.S. Assertion   | <input type="checkbox"/> Transmittal Letter   |
| <input type="checkbox"/> Req. for Ext. of Time   | <input type="checkbox"/> Patent Application   |
| <input type="checkbox"/> Fee Filing <input type="checkbox"/><br>Recording <input type="checkbox"/><br>Issue <input type="checkbox"/><br>Extension <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> Provisional <input type="checkbox"/> Reexam<br><input type="checkbox"/> Reissue <input type="checkbox"/> Design<br><input type="checkbox"/> Continuation <input type="checkbox"/> CIP<br>_____ pages (w/abstract)<br>_____ claims _____ independent<br>_____ sheets of drawings<br><input checked="" type="checkbox"/> <b>Swid.</b> figures |
| <input type="checkbox"/> Fee Transmittal   | <input type="checkbox"/> I.D.S. form PTO-1449 &<br>References <input type="checkbox"/> as attached<br><input type="checkbox"/> as listed on reverse   |
| <input type="checkbox"/> Maintenance Fee Payment   | <input type="checkbox"/> One self-addressed postcard  |
| <input type="checkbox"/> PTOL-85B Issue Fee  | <input type="checkbox"/> Certification under 1.97(e)  |
| <input type="checkbox"/> Letter to Draftsman   | <input type="checkbox"/> Certificate of Mailing (C-O-M)   |
| <input type="checkbox"/> Design Patent Application Transmittal   | <input type="checkbox"/> Returned Envelope  |
| <input type="checkbox"/> Utility Patent Application Transmittal  |   |
| <input type="checkbox"/> Provisional Application Cover Sheet   |   |
| <input type="checkbox"/> Continued Prosecution Application<br>(CPA) Request Transmittal  |   |
| <input type="checkbox"/> Request for Continued Examination (RCE)<br>including Submission   |   |
| <input type="checkbox"/> Cover Letter  |   |
| <input type="checkbox"/> Check No. _____ for \$ _____  |   |
| <input type="checkbox"/> Rule 53b and 53f Letter for<br>Unexecuted Application   |   |



(x) **COPIES OF CANADIAN OFFICE ACTION OF CANADIAN APP. NOS. 2,417,991 & 2,598,865**

In the matter of : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT  
                                CHANNEL PROBE

Applicant : Stephen PALM

COPY

Application No. : 10/657,271

Filed : 9/09/2003

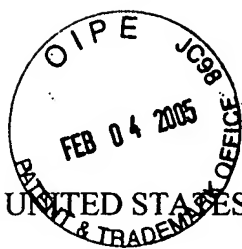
Patent No. :

Issued :

Docket : P24108

SW

P24108.A07



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen PALM

Confirmation No. : 1862

Group Art Unit : 2811

Appl. No. : 10/657,721

Examiner : Not Yet Assigned

Filed : September 9, 2003

For : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT  
CHANNEL PROBE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and supplemental to the Information Disclosure Statements that were filed on January 14, 2004; March 15, 2004; April 16, 2004; and April 28, 2004, Applicant hereby calls the following document to the attention of the Examiner:

A copy of a Korean Office Action mailed in related Korean Patent Application No. 10-2001-7000106 on April 20, 2004 is enclosed, in which the following document was cited:

U.S. Patent No. 5,321,722 to OGAWA, which issued on June 14, 1994.

The relevancy of this document is described in the Korean Office Action.

Applicant notes that a copy of this document was previously submitted, and thus, a copy is not enclosed herewith.

A copy of a Canadian Office Action mailed in related Canadian Patent Application No. 2,417,991 on April 1, 2004 is enclosed, in which the following document was cited:

European Patent Application Publication No. EP 0 820 168, which was published on January 21, 1998.

The relevancy of this document is described in the Canadian Office Action. Applicant notes that a copy of this document was previously submitted, and thus, a copy is not enclosed herewith.

A copy of a Canadian Office Action mailed in related Canadian Patent Application No. 2,398,865 on March 22, 2004 is enclosed, in which the following documents were cited:

ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipments (DCEs) and Between Data Terminal Equipments (DTEs) Over the General Switched Telephone Network and On Leased Point-to-Point Telephone-Type Circuits"), published by the International Telecommunication Union in August, 1996;

European Patent Application Publication No. EP 0 831 624, which was published on March 25, 1998; and

European Patent Application Publication No. EP 0 513 527, which was published on November 19, 1992.

The relevancy of these documents are described in the Canadian Office Action. Applicant notes that copies of these documents were previously submitted, and thus, copies are not enclosed herewith.



Applicant respectfully requests that the Examiner consider the above materials and cite the same. The above-noted documents are listed on a PTO-1449 Form, which is attached hereto. The Examiner is respectfully requested to initial the appropriate spaces on the attached PTO-1449 Form and to return a copy of the completed Form to Applicant with the next official communication in the present application to confirm consideration of these documents.

Applicant notes that an Office Action on the merits has not issued in the present application, and thus no fee is believed necessary to ensure consideration of this statement.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Stephen PALM

---

Bruce H. Bernstein  
Reg. No. 29,027

June 4, 2004  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

FORM PTO-1449	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. P24108	Application No. 10/657,721
<b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b> (Use several sheets if necessary)		Applicant Stephen PALM	
		Filing Date September 9, 2003	Group 2811

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5 3 2 1 7 2 2	06/14/94	OGAWA			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
		0 8 2 0 1 6 8	01/21/98	E.P.O.			
		0 8 3 1 6 2 4	03/25/98	E.P.O.			
		0 5 1 3 5 2 7	11/19/92	E.P.O.			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		1	ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipments (DCEs) and Between Data Terminal Equipments (DTEs) Over the General Switched Telephone Network and On Leased Point-to-Point Telephone-Type Circuits"), published by the International Telecommunication Union in August, 1996.
--	--	---	--

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	



GREENBLUM & BERNSTEIN, P.L.C.  
Intellectual Property Causes  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

AdC

8/16/2004

File In: MAILROOM

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

**(X) FOUR COPIES OF EUROPEAN OFFICE ACTIONS.**

- ☐ Amendment
- ☐ Executed Assignment and cover letter  
    ☐ by facsimile
- ☐ Executed S.E.S. ☐ S.E.S. Assertion
- ☐ Req. for Ext. of Time
- ☐ Fee Filing ☐
  - Recording ☐
  - Issue ☐
  - Extension ☐
- ☐ Fee Transmittal
- ☐ Maintenance Fee Payment
- ☐ PTOL-858 Issue Fee
- ☐ Letter to Draftsman
- ☐ Design Patent Application Transmittal
- ☐ Utility Patent Application Transmittal
- ☐ Provisional Application Cover Sheet
- ☐ Continued Prosecution Application  
    (CPA) Request Transmittal
- ☐ Request for Continued Examination (RCE)  
    including Submission
- ☐ Cover Letter
- ☐ Check No.           for \$
- ☐ Rule 53b and 53f Letter for  
    Unexecuted Application



**(X) TWO COPIES CANADIAN OFFICE ACTIONS.**

- ☐ Claim of Priority & Certified  
    Copy of \_\_\_\_\_
- ☐ Declaration ☐ Supplemental  
    ☐ New ☐ Unexecuted  
    ☐ Executed by facsimile
- ☐ Transmittal Letter
- ☐ Patent Application
  - ☐ Provisional ☐ Reexam
  - ☐ Reissue ☐ Design
  - ☐ Continuation ☐ CIP
  - \_\_\_\_\_ pages (w/abstract)
  - \_\_\_\_\_ claims \_\_\_\_\_ independent
  - \_\_\_\_\_ sheets of drawings
  - \_\_\_\_\_ figures
- ☒ I.D.S. form PTO-1449 &  
    References ~~( ) as attached~~  
                  ~~( ) as listed on~~  
                                reverse
- ☐ One self-addressed postcard
- ☐ Certification under 1.97(e)
- ☐ Certificate of Mailing (C-O-M)
- ☐ Returned Envelope

In the matter of : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT  
                                CHANNEL PROBE

Applicant : Stephen PALM

Application No. : 10/657,271

Patent No. :

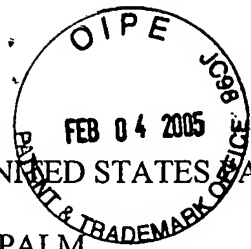
Filed : 9/09/2003

Issued :

Docket : P24108

SW

P24108.A08



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen PALM

Group Art Unit : 2811

Appl. No. : 10/657,721

Examiner : Not Yet Assigned

Filed : September 9, 2003

Confirmation No. : 1862

For : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT  
CHANNEL PROBE

### **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
220 20th Street S.  
Customer Window, Mail Stop \_\_\_\_\_  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98,

Applicant hereby calls to the Examiner's attention the following documents:

A copy of a Canadian Office Action mailed in related Canadian Patent Application No.  
2,338,077 on June 18, 2004 is enclosed, in which the following documents were cited:

U.S. Patent No. 5,463,382 to NIKAS et al., which issued on October 31, 1995; and

U.S. Patent No. 5,377,188 to SEKI, which issued on December 27, 1994.

The relevancy of these documents are described in the Canadian Office Action.

Applicant notes that copies of these documents were previously submitted, and thus, copies of  
the patents are not enclosed herewith.

A copy of a Canadian Office Action mailed in related Canadian Patent Application No. 2,407,503 on July 5, 2004 is enclosed, in which the following document was cited:

U.S. Patent No. 5,163,131 to ROW et al., which issued on November 10, 1992.

The relevancy of this document is described in the Canadian Office Action. Applicant notes that a copy of this document was previously submitted, and thus, a copy of the patent is not enclosed herewith.

A copy of a European Office Action mailed in related European Patent Application No. EP 03 007 771.3 on July 12, 2004 is enclosed, in which the following documents were cited:

European Patent Application Publication No. EP 0 974 202, which was published on January 26, 2000;

European Patent Application Publication No. EP 0 820 168, which was published on January 21, 1998;

U.S. Patent No. 5,479,447 to CIOFFI et al., which issued on December 26, 1995; and

U.S. Patent No. 4,679,227 to HUGHES-HARTOGS, which issued on July 7, 1987.

The relevancy of these documents are described in the European Office Action.

Applicant notes that copies of these documents were previously submitted, and thus, copies of these documents are not enclosed herewith.

A copy of a European Office Action mailed in related European Patent Application No. EP 03 007 772.1 on July 12, 2004 is enclosed, in which the following documents were cited:

"ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipment (DCEs) and Between Data Terminal Equipments (DTEs) Over the General Switched Telephone Network and

On Leased Point-to-Point Telephone-Type Circuits"), which was published by the International Telecommunication Union in August, 1996;

U.S. Patent No. 5,493,609 to DAVIS et al., which issued on February 20, 1996; and

An article by K. KRECHMER at pages 63, 64 and 66 of Data Communications, McGraw Hill, NY, Vol. 23, No. 2 (January 21, 1994), entitled "V.34 Modems: Off to a Fast Start?."

The relevancy of these documents are described in the European Office Action.

Applicant notes that copies of these documents were previously submitted, and thus, copies of these documents are not enclosed herewith.

A copy of a European Office Action mailed in related European Patent Application No. EP 03 007 773.9 on July 12, 2004 is enclosed, in which the following documents were cited:

"ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipment (DCEs) and Between Data Terminal Equipments (DTEs) Over the General Switched Telephone Network and On Leased Point-to-Point Telephone-Type Circuits"), which was published by the International Telecommunication Union in August, 1996;

U.S. Patent No. 5,493,609 to DAVIS et al., which issued on February 20, 1996; and

An article by K. KRECHMER at pages 63, 64 and 66 of Data Communications, McGraw Hill, NY, Vol. 23, No. 2 (January 21, 1994), entitled "V.34 Modems: Off to a Fast Start?."

The relevancy of these documents are described in the European Office Action.

Applicant notes that copies of these documents were previously submitted, and thus, copies of these documents are not enclosed herewith.

A copy of a European Office Action mailed in related European Patent Application No. EP 03 007 777.0 on July 12, 2004 is enclosed, in which the following documents were cited:

"ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipment (DCEs) and Between Data Terminal Equipments (DTEs) Over the General Switched Telephone Network and On Leased Point-to-Point Telephone-Type Circuits"), which was published by the International Telecommunication Union in August, 1996;

International Patent Application Publication No. WO 98/10545, which was published on March 12, 1998;

An article by F. MESCAM, entitled "Introduction A La Procedure De Transmission HDLC", published at pages 69-73 of L 'Onde Electrique, Vol. 53, No. 2 (February, 1973); and

An article by H. OHBA et al., entitled "End-to-End Protocol Based on CCITT X.25 and Its Implementation", published at pages 281-287 of Evolutions in Computer Communications, Kyoto September 26-29, 1978, International Conference On Computer Communication, Tokyo, Japan, Vol. CONF. 4, September 1978.

The relevancy of these documents are described in the European Office Action. Applicant notes that copies of these documents were previously submitted, and thus, copies of these documents are not enclosed herewith.

Applicant respectfully requests that the Examiner consider the above materials and cite the documents. The documents noted above are listed on a PTO-1449 Form, which is also attached hereto. The Examiner is respectfully requested to initial the appropriate spaces on the attached PTO-1449 Form and to return a copy of the completed Form to Applicant with the next official communication in the present application to confirm consideration of these documents.

Applicant notes that an action on the merits has not issued in this case. Further, the above documents were previously cited to the Examiner. Accordingly, Applicant submits that it is not necessary to submit any governmental fee to ensure consideration of the documents.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,  
Stephen PALM

---

Bruce H. Bernstein  
Reg. No. 29,027

August 16, 2004  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191



FORM PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
P24108Application No.  
10/657,721INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT  
(Use several sheets if necessary)Applicant  
Stephen PALMFiling Date  
September 09, 2003Group  
2811

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5 4 6 3 3 8 2	10/31/95	NIKAS et al			
	5 3 7 7 1 8 8	12/27/94	SEKI			
	5 1 6 3 1 3 1	11/10/92	ROW et al			
	5 4 7 9 4 4 7	12/26/95	CIOFFI et al			
	4 6 7 9 2 2 7	07/07/87	HUGHES-HARTOGS			
	5 4 9 3 6 0 9	02/20/96	DAVIS et al			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	0 9 7 4 2 0 2	01/26/00	E.P.O			
	0 8 2 0 1 6 8	01/21/98	E.P.O			
9	8 / 1 0 5 4 5	03/12/98	W.I.P.O			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1	"ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipment (DCEs) and Between Data Terminal Equipments (DTEs) Over the General Switched Telephone Network. On Leased Point-to-Point Telephone-Type Circuits"), which was published by the International Telecommunication Union in August, 1996;
2	An article by K. KRECHMER at pages 63, 64 and 66 of Data Communications, McGraw Hill, NY, Vol. 23, No. 2 (January 21, 1994), entitled "V.34 Modems: Off to a Fast Start?."
3	An article by F. MESCAM, entitled "Introduction A La Procedure De Transmission HDLC", published at pages 69-73 of L'Onde Electrique, Vol. 53, No. 2 (February, 1973).
4	An article by H. OHBA et al., entitled "End-to-End Protocol Based on CCITT X.25 and Its 29, 1978, Implementation", published at pages 281-287 of Evolutions in Computer Communications, Kyoto September 26-International Conference On Computer Communication, Tokyo, Japan, Vol. CONF. 4, September 1978.

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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Intellectual Property Causes  
1950 Roland Clarke Place  
Reston, VA 20191  
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File In: M4/11/04

4/15/2004

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

- |   |  |
|---|--|
| <input type="checkbox"/> Amendment _____  | <input type="checkbox"/> Claim of Priority & Certified Copy of _____                                       |
| <input type="checkbox"/> Executed Assignment and cover letter <input type="checkbox"/> by facsimile   |  |
| <input type="checkbox"/> Executed S.E.S. <input type="checkbox"/> S.E.S. Assertion  | <input type="checkbox"/> Declaration <input type="checkbox"/> Supplemental                                 |
| <input type="checkbox"/> Req. for Ext. of Time  | <input type="checkbox"/> New <input type="checkbox"/> Unexecuted   |
| <input type="checkbox"/> Fee Filing <input type="checkbox"/> Recording <input type="checkbox"/> Issue <input type="checkbox"/> Extension _____ <input type="checkbox"/> | <input type="checkbox"/> Executed by facsimile   |
| <input type="checkbox"/> Fee Transmittal  | <input type="checkbox"/> Transmittal Letter  |
| <input type="checkbox"/> Maintenance Fee Payment  | <input type="checkbox"/> Patent Application  |
| <input type="checkbox"/> PTOL-85B Issue Fee   | <input type="checkbox"/> Provisional <input type="checkbox"/> Reexam                                       |
| <input type="checkbox"/> Letter to Draftsman  | <input type="checkbox"/> Reissue <input type="checkbox"/> Design   |
| <input type="checkbox"/> Design Patent Application Transmittal  | <input type="checkbox"/> Continuation <input type="checkbox"/> CIP   |
| <input type="checkbox"/> Utility Patent Application Transmittal   | _____ pages (w/abstract)   |
| <input type="checkbox"/> Provisional Application Cover Sheet  | _____ claims _____ independent   |
| <input type="checkbox"/> Continued Prosecution Application  | <input checked="" type="checkbox"/> I.D.S. form PTO-1449 & References <input type="checkbox"/> as attached |
| <input type="checkbox"/> (CPA) Request Transmittal  | <input type="checkbox"/> as listed on reverse  |
| <input type="checkbox"/> Request for Continued Examination (RCE) including Submission   | <input type="checkbox"/> One self-addressed postcard   |
| <input type="checkbox"/> Cover Letter   | <input type="checkbox"/> Certification under 1.97(e)   |
| <input type="checkbox"/> Check No. _____ for \$ _____   | <input type="checkbox"/> Certificate of Mailing (C-O-M)  |
| <input type="checkbox"/> Rule 53b and 53f Letter for Unexecuted Application   | <input type="checkbox"/> Returned Envelope   |
| <input checked="" type="checkbox"/> <u>Unexecuted Application</u> (for LA No. 2, 288, 283)  | <input checked="" type="checkbox"/> <u>European Search Report</u> (for EP 03 028106)                       |



In the matter of : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT CHANNEL PROBE

Applicant : Stephen PALM

Adco

Application No. : 10/657,271

Filed : 9/09/2003

Patent No. :

Issued :

Docket : P24108

ju

P24108.A05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen PALM

Confirmation No. : 1862

Group Art Unit : 2811

Appl. No. : 10/657,271

Examiner : Not Yet Assigned

Filed : September 9, 2003

For : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT  
CHANNEL PROBE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and supplemental to the Information Disclosure Statements that were filed on January 14, 2004, and March 15, 2004, Applicant hereby calls the following document to the attention of the Examiner:

A copy of a Canadian Office Action mailed in related Canadian Patent Application No. 2,288,283 on February 18, 2004 is enclosed, in which the following documents were cited:

European Patent Application Publication No. EP 0 820 168, which was published on January 21, 1998; and

U.S. Patent No. 5,715,277 to GOODSON et al., which issued on February 3, 1998.

P24108.A05

The relevancy of each document is described in the Canadian Office Action. Applicant notes that copies of these documents were previously submitted, and thus, additional copies are not enclosed.

A copy of a European Search Report that was mailed on March 23, 2004 with regard to counterpart European Patent Application No. 03 02 8106.7 is enclosed, which the European Examiner cited the following documents:

ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipments (DCEs) and Between Data Terminating Equipments (DCEs) Over the General Switched Telephone Network and On Leased Point-to-Point Telephone-Type Circuits"), which was published by the International Telecommunication Union in August, 1996;

U.S. Patent 5,493,609 to DAVIS et al., which issued on February 20, 1996; and

An article by K. KRECHMER at pages 63, 64 and 66 of Data Communications, McGraw Hill, NY, vol. 23, no. 2 (January 21, 1994), entitled "V.34 Modems: Off to a Fast Start?".

The relevancy of each documents is described in the European Search Report. Applicant notes that a copy of these documents were previously submitted, and thus, copies are not enclosed.

Applicant respectfully requests that the Examiner consider the above materials and cite the documents. The above-noted documents are listed on a PTO-1449 Form, which is attached hereto. Since the documents have previously been presented to the Examiner, Applicant submits that no fee is required to be paid. The Examiner is respectfully requested to initial the

P24108.A05

appropriate spaces on the attached PTO-1449 Form and to return a completed copy of the Form to Applicant with the next official communication in the present application to confirm consideration of these documents.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Stephen PALM

---

Bruce H. Bernstein  
Reg. No. 29,027

April 15, 2004  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191

Form PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
P24108Serial No.  
10/657,271INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT  
(Use several sheets if necessary)Applicant  
Stephen PALMFiling Date  
September 9, 2003Group  
2811

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5 7 1 5 2 7 7	02/03/98	GOODSON et al.			
	5 4 9 3 6 0 9	02/20/96	DAVIS et al.			

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
0 8 2 0 1 6 8	01/21/98	E.P.O.			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

1	ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection of Common Modes of Operation Between Data Circuit-Terminating Equipments (DCEs) and Between Data Terminating Equipments (DCEs) Over the General Switched Telephone Network and On Leased Point-to-Point Telephone-Type Circuits"), which was published by the International Telecommunication Union in August, 1996.
2	K. KRECHMER at pages 63, 64 and 66 of Data Communications, McGraw Hill, NY, vol. 23, no. 2 (January 21, 1994), entitled "V.34 Modems: Off to a Fast Start?"

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

GREENBLUM & BERNSTEIN, P.L.C.  
Intellectual Property Causes  
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Reston, VA 20191  
(703) 716-1191



3/15/2004

File In: MAILROOM

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

**(X) COPY OF EUROPEAN SEARCH REPORT.**

- |  |  |
|--|--|
| <input type="checkbox"/> Amendment   | <input type="checkbox"/> Claim of Priority & Certified Copy of             |
| <input type="checkbox"/> Executed Assignment and cover letter<br><input type="checkbox"/> by facsimile |  |
| <input type="checkbox"/> Executed S.E.S. <input type="checkbox"/> S.E.S. Assertion                     | <input type="checkbox"/> Declaration <input type="checkbox"/> Supplemental |
| <input type="checkbox"/> Req. for Ext. of Time   | <input type="checkbox"/> New <input type="checkbox"/> Unexecuted           |
| <input type="checkbox"/> Fee Filing <input type="checkbox"/>   | <input type="checkbox"/> Executed by facsimile                             |
| Recording <input type="checkbox"/>   |  |
| Issue <input type="checkbox"/>   | <input type="checkbox"/> Transmittal Letter                                |
| Extension <input type="checkbox"/>   | <input type="checkbox"/> Patent Application                                |
| <input type="checkbox"/> Fee Transmittal   | <input type="checkbox"/> Provisional <input type="checkbox"/> Reexam       |
| <input type="checkbox"/> Maintenance Fee Payment   | <input type="checkbox"/> Reissue <input type="checkbox"/> Design           |
| <input type="checkbox"/> PTOL-85B Issue Fee  | <input type="checkbox"/> Continuation <input type="checkbox"/> CIP         |
| <input type="checkbox"/> Letter to Draftsman   | _____ pages (w/abstract)   |
| <input type="checkbox"/> Design Patent Application Transmittal   | _____ claims _____ independent   |
| <input type="checkbox"/> Utility Patent Application Transmittal  | _____ sheets of drawings   |
| <input type="checkbox"/> Provisional Application Cover Sheet   | <sup>Sup</sup> _____ figures   |
| <input type="checkbox"/> Continued Prosecution Application   | (X) I.D.S. form PTO-1449 @   |
| (CPA) Request Transmittal  | References <input type="checkbox"/> as attached                            |
| <input type="checkbox"/> Request for Continued Examination (RCE)                                       | <input type="checkbox"/> as listed on reverse                              |
| including Submission   | <input type="checkbox"/> One self-addressed postcard                       |
| <input type="checkbox"/> Cover Letter  | <input type="checkbox"/> Certification under 1.97(e)                       |
| <input type="checkbox"/> Check No. _____ for \$  | <input type="checkbox"/> Certificate of Mailing (C-O-M)                    |
| <input type="checkbox"/> Rule 53b and 53f Letter for Unexecuted Application                            | <input type="checkbox"/> Returned Envelope                                 |



In the matter of : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT CHANNEL PROBE

Applicant : Stephen PALM

Application No. : 10/657,271

Patent No. :

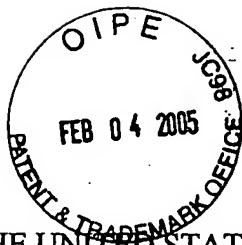
Filed : 9/09/2003

Issued :

Docket : P24108

ju

P24108.A04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen PALM

Group Art Unit : 2811

Appl. No. : 10/657,271

Examiner : Not Yet Assigned

Filed : September 9, 2003

Confirmation No. : 1862

For : ACTIVATION OF MULTIPLE XDSL MODEMS WITH IMPLICIT  
CHANNEL PROBE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98,

Applicant hereby calls the following document to the attention of the Examiner:

A copy of a European Search Report mailed in related European Patent  
Application No. 03028105.9-2415 on February 3, 2004 is enclosed, in which the  
following documents were cited:

ITU-T Recommendation V.8 bis ("Procedures for the Identification and Selection  
of Common Modes of Operation Between Data Circuit-Terminating Equipments (DCEs)  
and Between Data Terminal Equipments (DTEs) Over the General Switched Telephone  
Network and On Leased Point-to-Point Telephone-Type Circuits"), published by the  
International Telecommunication Union in August, 1996;



P24108.A04

U.S. Patent 5,493,609 to DAVIS et al., which issued on February 20, 1996; and

An article by K. KRECHMER at pages 63,64 and 66 of Data Communications, McGraw Hill, NY, vol. 23, no. 2 (January 21, 1994), entitled "V.34 Modems: Off to a Fast Start?".

The relevancy of each document is described in the European Search Report. Applicant notes that copies of these documents were previously submitted, and thus, additional copies are not enclosed.

Applicant respectfully requests that the Examiner consider the above materials and cite the documents. The above-noted documents have been listed on a PTO-1449 Form, which is also attached hereto. Further, since the documents have previously been presented to the Examiner, Applicant submits that no fee is required to be paid. The Examiner is respectfully requested to initial the appropriate spaces on the attached PTO-1449 Form and to return a copy of the Form to the Applicant with the next official communication in the present application to confirm consideration of these documents.

P24108.A04

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Stephen PALM

---

Bruce H. Bernstein  
Reg. No. 29,027

March 12, 2004  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
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